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TO RUEHC/SECSTATE WASHDC IMMEDIATE 8479
INFO RUCNMGH/MAGHREB COLLECTIVE IMMEDIATE
RUEHAB/AMEMBASSY ABIDJAN IMMEDIATE 0009
RUEHBP/AMEMBASSY BAMAKO IMMEDIATE 0290
RUEHKI/AMEMBASSY KINSHASA IMMEDIATE 0006
RUEHMD/AMEMBASSY MADRID IMMEDIATE 3878
RUEHNM/AMEMBASSY NIAMEY IMMEDIATE 0283
RUEHGV/USMISSION GENEVA IMMEDIATE 0678

UNCLAS CASABLANCA 000160

SIPDIS

PASS TO NEA/MAG AND PRM/AFR

E.O. 12958: N/A

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SUBJECT: VIOLENCE AT UNHCR HIGHLIGHTS MOROCCO,S REFUGEE
DILEMMA

REF: 2008 CASABLANCA 168

¶1. (SBU) Moroccan police clashed with sub-Saharan refugees after a two-week long sit-in at the United Nations High Commissioner for Refugees' (UNHCR) headquarters in Rabat, resulting in five arrests and numerous injuries including a senior police officer. The five detained refugees were initially charged with illegal entry to Morocco and faced potential expulsion in addition to criminal charges. Although the refugees in the end received lenient sentences and were not returned to their countries of origin, UNHCR reported the incident has darkened its relations with the Government of Morocco (GOM) and with the refugee community. This outburst of violence highlights the ambiguous status of refugees in Morocco and the GOM's reluctance to deal with asylum issues despite taking numerous positive steps in the last few years to fulfill its international obligations under the 1951 Refugee Convention.

Sit-in Turns Violent

¶12. (SBU) Approximately 50 refugees including women and children staged a sit-in that began on June 15 in front of UNHCR headquarters (HQ) in Rabat to protest the lack of resettlements to Europe and the US. The group, which consisted largely of refugees from Cote d'Ivoire and the Democratic Republic of the Congo (DRC), maintained a 24 hour vigil in spite of efforts by UN representatives and the Moroccan security forces to resolve the stand off. In the middle of the night on June 27, police forcibly removed the refugees from UNHCR HQ and drove them in vans to the neighborhoods where they live. The refugees returned the following morning to UNHCR but were dissuaded from continuing their protest by threats from the police and the promise that UNHCR representatives would continue talks with the group soon thereafter.

¶13. (SBU) The subsequent July 2 meeting, held at another UN building 100 meters from UNHCR, was brief and ended with the refugee leaders storming out intent on continuing their protest. According to Johannes Van Der Klaauw, the Chief of Mission for UNHCR, the refugees were aggressive and a melee broke out between them and the police forces. During this confrontation, a refugee hit a senior

police officer with a club which broke the officer's arm, for which he received medical care and 60 days off from work. The refugees also threw stones and attacked the headquarters of UNHCR. During a visit to the site of the melee, poloff saw the shattered glass of the Director's office and destroyed security cameras. All told, six refugees were taken to the hospital for treatment and five were arrested. The remaining group of refugees dispersed and quickly moved towards the US Embassy, which is located in close proximity. The refugees remained outside of the Embassy for a few minutes and the police then removed them. At the same time, a second group began moving towards the northwestern entrance of the Embassy. Police were quickly dispatched to this location and dispersed the second group of protestors. Finally, a third group formed outside of the vehicle barrier located in the southwest corner of the Embassy. Police responded and dispersed this crowd, as well. One Embassy Guard sustained minor injuries to his leg during the encounter and no Americans or locally engaged staff members were harmed.

¶4. (SBU) Criminal charges were brought against five of the refugees for attacking a security officer, rioting, and for illegal entry into the Kingdom. In signed police statements, the five refugees, four of whom were Ivoirians and one Congolese, all confessed to attacking the officer, being economic migrants illegally present in Morocco, and making false statements to UNHCR to obtain refugee status.

Defense lawyers argued the statement were not credible considering that they were written in Arabic (Note: the suspects are illiterate and do not speak Arabic), and all the statements were identically worded.

¶5. (SBU) Van Der Klaauw told poloff that although UNHCR did not want to appear to interfere with the judicial process in Morocco, he had spoken to "influential people" in the GOM and warned them that if the refugees were expelled, he would have to speak out forcefully against the GOM. The Court of First Instance in Sale announced on July 27 sentences of one month in prison, fines of approximately \$60 US dollars, and dismissed charges of illegal entry. The sentence amounted to time-served and was considered by UNHCR and others to be lenient.

Refugee Grievances

¶6. (SBU) Mohammed Camara, a student from Guinea who has worked with the refugee community as a social worker for UNHCR's implementing partner, told poloff that the eruption of anger and violence should have been anticipated. The refugees, he explained, refuse to accept a long-term future in Morocco as a durable solution and believe resettlement in Europe or the US is the only answer. This problem, he noted, is exacerbated by the GOM's refusal to grant refugees Moroccan residency permits and hence the right to work and access other services. (Reftel) The refugees feel let down and angry with UNHCR for a perceived lack of financial assistance and the infrequency of resettlements, he added. Some of the refugees also believe that UNHCR exhibits favoritism to certain nationalities by resettling more recent arrivals before others. Van Der Klaauw bristled at criticism of favoritism and argued that UNHCR has successfully resettled some cases, but only for those who meet the 1951 Refugee Convention definition of refugee. He noted that of the approximately 750 recognized refugees in Morocco, 65

percent are from Cote d'Ivoire and the DRC, most of whom were granted protection under the UHCR's extended mandate definition. Donor countries are generally reluctant to accept these extended mandate cases, he added.

¶7. (SBU) Van Der Klaauw lamented that relations with the GOM have been negatively affected by this outburst of violence. He noted that the GOM has not taken any steps in the last year to establish an asylum office capable of adjudicating refugee claims, screening applicants at the border, or update laws to comply with international obligations. Van Der Klaauw reported that the delay is the responsibility of the Ministry of Interior (MOI) which is wary of taking steps that it believes will either encourage clandestine migration or threaten the border security of Morocco. The prevailing view within the security services was expressed to poloff by a senior MOI official in the Office of Borders and Migration Security who argued that all refugees in Morocco are actually economic migrants since they have passed through numerous other countries in their journey to reach Europe. However, the GOM has indicated to UNHCR that they are willing to work to find solutions on a case by case basis for the most vulnerable individuals; normally, these solutions entail the granting of residence permits.

¶8. (SBU) COMMENT: Morocco has recently taken numerous positive steps to comply with its 1951 Convention obligations including signing a country agreement with UNHCR in 2008 and putting an end to the expulsion of recognized refugees. In fact, the GOM's decision to not expel the refugees affirms its commitment to the principle of non-refoulement. The MOI is understandably reluctant to create what it

believes are incentives for the migrant communities to come to Morocco. Morocco's transformation from a country of origin for migration to a country of transit and destination is difficult for the GOM to reconcile with its stated goal of complying international obligations regarding refugees. Despite this dilemma, asylum reform, like most reform in Morocco, continues to moves forward slowly.

¶9. This message was coordinated with Embassy Rabat.
MILLARD